

24th July 2002

To: The Committee Secretary
Joint Standing Committee on Electoral Matters
Parliament House
Canberra ACT 2600
Australia

Dear Sir, Madam,

This supplementary submission serves as an addendum to my initial submission dated 1 June 2002 in response to the JSCEM's invitation for public comment as part of its Inquiry into the Conduct of the 2001 Federal Election.

As a direct consequence of my submission to JSCEM being made public, I have received some excellent questions from Australian expatriates located in Europe and the United States that I felt would be beneficial to share with the committee. Of particular interest is the notion of how foreign interests may affect Australian politics should long-term expatriates gain additional voting rights and the difficulties associated with fair representation in suggested expatriate ridings given the dispersion of Australians overseas.

Therefore, you will find enclosed the questions that I have received electronically and my responses in hoping that these issues may be considered by the committee. Perhaps this Q&A may address some questions raised by the committee itself when reviewing my initial submission. Attached you will also find the original submission for reference purposes.

Sincerely,

Jason S. Caley

Q1. Holders of an Australian passport and or citizenship are to all extensive purposes Australian, irrespective of their location. We have the same qualities of any Australian in country or not. Why do you think we are a greater risk than any other Australians ?

I think that short term expats who already have the right to vote under pre-existing terms should continue to have that right. I believe that long term expats can be a destabilizing political force at times. I have fully endorsed and assisted with SCG's push to attain dual citizenship rights for Australians working and living overseas. On this subject though, I believe that becoming a citizen of another country is making a commitment to that place and being able to vote in their new home is very very important in making a difference in one's new country.

Long term expats who return home to Australia may re-enrol and start voting again. I am aware of foreign governments who would pay me good money or otherwise try to coerce me or my family in order to swing a seat in an Australian election for reasons of idealism, fundamentalism and trade purposes - not all of these foreign influences into Australian politics are good. My secondary support and fallback position is to create a single expatriate seat to prevent vote-rigging and people moving to marginals or choosing their home as marginal seats to affect electoral outcomes. Even so, the dispersion of Australians abroad is not uniform with the vast majority based in the UK and the US respectively, thus English (UK) and American (US) influences/policies that these people believe in will get onto the Australian political agenda. It will only serve to become a launch pad for those groups with clout to exercise the outcome of this seat. Australians are simply not dispersed enough throughout the world for it to be a true expatriate riding. We may as well call them, the electoral seats of the US and UK. My other consideration is that the people resident in Australia are the ones needing to make decisions on their future while long term expatriates who are dual citizens can vote in their new countries. If expatriates' voting practises and ideals are the same in both locations, are they trying to create the same country in both places politically speaking? As an example, would we want people like David Hicks (captured member of Al-Qaeda) voting with regard to political parties and their respective platforms that may directly impact the border security policies of Australia. Shouldn't the people living there be deciding on such domestic issues not to mention trade agreements and foreign policy, not people living in those countries who stand to benefit for either the wrong reasons or selfish motivations. What about Australian-born CEOs of foreign corporations who are residing overseas using their influence to get special access into Australia through a back-room deal?

Q2. Say apx 19 million Australians live in country. Do you think the number of expat Australians make up a % that could actually make any substantial difference in any electoral ballot, to the point we could actually bring down a government ?

Yes. Depending on how the expatriate electorate is defined. If people get to pick and choose what seat they want to vote in? Can't be done by place of birth as that disenfranchises non-Australian born citizens wishing to vote. Remember of the 19m people, 23% or so of them are not of voting age or status (includes permanent residents, visa holders,

students, the underaged, the mentally handicapped etc.) Just about all of the Australian expats are of voting age. Again, my problem is not with the existing system that caters to short-term absences of up to 6 years...it's people who have been out of Australia for 7 years or more getting the right to vote, especially now that they can vote in the country they live in upon attaining citizenship there. If they ever move back, they will get to re-enrol and vote in Australian sovereign affairs.

Q3. If you think that expat Australians are such a risk to our sovereign nation, then do you think that any Australian national should be deregistered as citizens after a predetermined time period of residence outside of the country ?

Nope. Just the voting delisting after 6 years is enough. They are a potential asset to Australia should they bring back that foreign wealth and expertise and life experience to the country. But until they have shown/realized that commitment why should they decide how Australia gets built and shaped. The growing pains would not be directly experienced by them whilst they live and work under another political system altogether. The only ones to deal with the consequences of those policies shaped and defined by foreign interests will be Australian residents (not just citizens) in Australia.

Q4. Should Expat Australians be legally classed as a second class citizen of Australia?

Even as citizens of Australia, they are not residents. Why should they decide issues for Australian residents and domestic issues which don't directly affect them?

Truth is in many ways we already are 2nd class citizens. It is not that unfortunate, its just the way it is. Many expats have experienced difficulties in their new host countries as well and had to make substantial changes to their lives and be treated as second-class in their new homes either leading up to citizenship, during the immigration process etc. If they are dual citizens there is generally a primary (adopted) home and their former one. As an example, Canadians only have 3 years abroad before they lose the right to vote, the Australian policy is far fairer than this.

1st June 2002

To: The Committee Secretary
Joint Standing Committee on Electoral Matters
Parliament House
Canberra ACT 2600
Australia

Dear Sir, Madam,

This submission is in response to the JSCEM's invitation for public comment as part of its Inquiry into the Conduct of the 2001 Federal Election.

As an expatriate national residing in Québec province, Canada, I have become aware of the campaign of the Southern Cross Group to seek to modify existing expatriate voting rights so as to allow non-resident citizens of Australia to become eligible to vote in Federal elections and referendums irrespective of the pre-existing determinations of intent to return and time abroad as set out in current voting legislation.

I would like to make it known, that I am opposed to any changes proposed by the Southern Cross Group (SCG) or other parties and individuals seeking to bypass and/or modify existing electoral processes and to reiterate my support for the existing voting procedures upheld by the Australian Electoral Commission.

Henceforth, I make my opinion known and publicly available that I do **not** support the amendment of any electoral proceedings with regard to the eligibility criteria of non-resident Australian citizens wishing to seek the right to vote in future Federal, State or Local elections.

In essence, I find it totally unreasonable that expatriate Australians should seek to change or gain additional voting rights with concern to Australian National affairs. I remain a believer in Australia and the well-being of the economy but I cannot condone the actions of my counterparts in seeking to create a means of gaining a right to vote while they themselves remain non-resident in Australia and have yet indicated a desire to return to Australia within a pre-determined timeframe as defined by current legislation.

For my part, the desire to participate in any level of governmental electoral process, being Federal, State or Municipal election is unacceptable unless Australian-citizens meet the preexisting conditions as determined by current eligibility requirements as determined by the current interpretation of the Australian Electoral Act.

Anything else would result in voting influence exercised by individuals that do not represent an invested and longstanding interest in Australian sovereign affairs. In fact, any modification of Australian Electoral law could conceivably lead the way to abuses of voting procedures by way of manipulation, vote-sharing, bribery, coercion or extortion

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thus embedding the interests of foreign groups, possibly including but not limited to terrorist organisations, into the Australian political agenda. As an Australian citizen and expatriate, I wish to make it known that I believe the right to vote rests squarely with those residing in Australia and those eligible under the pre-existing terms of the Australian Electoral Act.

My beliefs as indicated above include and are not limited to:

- The right to self govern and determination
- The democracy and stated intent and virtues of the Australian Constitution
- The belief that resident Australians should determine their own fate
- The belief that no external entity, including long term Australian Expatriates, affiliates and organizations, may determine or participate in the outcome of Australian sovereign affairs pertaining to such matters as referendums and federal elections

Furthermore, as a secondary measure, I wish to make it known that should current legislation be modified, contrary to my preceding stated position, to support increased voting privileges for expatriate Australian citizens, I fully support and recommend the establishment of an “expatriate voting riding” implemented in an identical fashion to that of the Italian Legislative and Electoral system. Such an endorsement remains contingent on the basis that pre-existing federal electoral procedures can no longer be maintained and in no way supports any proposal for eligibility criteria being modified with regard to State or Municipal Electoral eligibility.

Sincerely,

Jason S. Caley